

Anchorage Assoc. v. Virgin Is. Bd. Of Tax Rev., 922 F.2d 168, 177 n.9 (3d Cir. 1990). Here, defendant was properly served, as evidenced by the Clerk's Entry of Default upon motion by the Plan, which included evidence of proof of service.

WHEREAS, when the Court is considering whether to grant a default motion, the Court must first look to whether it has subject matter and personal jurisdiction. Before a district court can enter "default judgment, the court 'has an affirmative duty to look into its jurisdiction both over the subject matter and the parties.'" *Prudential Ins. Co. of Am. v. Bramlett*, No. 08-119, 2009 WL 2634644, at *3 (D.N.J. Aug. 24, 2009) (*quoting Williams v. Life Sav. & Loan*, 802 F.2d 1200, 1203 (10th Cir. 1986)).

WHEREAS, the Court has subject matter jurisdiction.

WHEREAS, the Court also has personal jurisdiction.

WHEREAS, Daysol is not an infant, incompetent, or in the military service of the United States.

WHEREAS, Daysol has not answered or defended the complaint.

WHEREAS, the time for filing an answer was not extended.

WHEREAS, the time for filing an answer has expired.

WHEREAS, defendant's complaint is well pled and includes sufficient facts to support the Court's granting for default judgment.

IT IS, on this 13th day of November, 2019,

ORDERED that plaintiffs' motion for default judgment against Daysol is **GRANTED**; and it is further

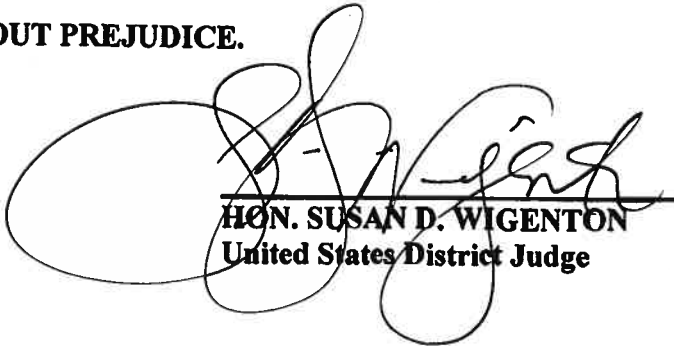
ORDERED that judgment against Daysol and in favor of the plaintiffs be entered
in the sum of ~~\$201,438.17~~ ^{174,603.18}, consisting of:

- (a) \$158,332.00 in withdrawal liability principal;
- (b) \$4,831.41 in interest, calculated through October 31, 2019, with interest continuing to accrue from November 1, 2019 at the daily rate of \$23.09;
- (c) ^{4,831.4 in additional interest} ~~\$31,666.40 in liquidated damages~~; and
- (d) \$ 6,608.36 in reasonable attorney's fees and costs.

FINALLY, IT IS ORDERED that the complaint against defendants John Doe Companies 1-99 is **DISMISSED WITHOUT PREJUDICE**.

Dated:

Nov. 13 2019



HON. SUSAN D. WIGENTON
United States District Judge